

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

vs.

CRIMINAL NO. 5:08cr26

DONALD SMITH

DEFENDANT

Garnishee

ORDER GRANTING WAGE ASSIGNMENT

This cause is before the Court on a Joint Motion for Wage Assignment filed January 28, 2011 (#17) and the Court having considered the joint motion and, therefore, finds as follows:

1. A judgment was entered against the defendant by this court on December 16, 2008, in the amount of \$71,194.97 restitution and \$100.00 special assessment. A balance of \$70,509.97 remains outstanding as of January 10, 2011.

2. George Carr Motors, located at 2950 S. Frontage Road, Vicksburg, MS 39180, has in its possession, custody or control property of the judgment defendant in the form of wages paid to the judgment defendant, Donald Smith.

3. The judgment defendant, Donald Smith, waives his right to a hearing under 28 U.S.C. § 3205 and any other process to which he may be entitled under the Federal Debt Collection Procedures Act of 1990.

4. The judgment defendant, Donald Smith, agrees and stipulates that his wages are subject to garnishment under § 3205 of the Federal Debt Collection Procedures Act, 28 U.S.C. § 3205 and expressly agrees and stipulates that the entry of this agreed Order is proper.

5. The United States of America, and the defendant, Donald Smith, pursuant to the advice of the United States Probation Office, agree that the sum of \$200 per month, or \$50.00 per

pay period, will be deducted from the defendant's wages and applied toward the repayment of the judgment debt.

6. The parties further agree and stipulate that these sums are to be applied upon the judgment rendered in this cause in the sum of \$71,194.97, upon which there is an unpaid balance of \$70,709.97 as of January 10, 2011. These deductions are to continue until the unpaid balance is fully paid and satisfied.

7. Payments should be made payable to the U. S. District Court Clerk and mailed to P. O. Box 23552, Jackson, MS 39225-3552.

SO ORDERED this 1st day of February, 2011.

s/David Bramlette
HONORABLE DAVID C. BRAMLETTE
Senior, United States District Court Judge